Express Mail Label No. EV312206977US

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: Wilbur H.

Highleyman

Conf. No.:

Group Art Unit:

Appln. No.:

§ Examiner:

Filing Date:

Attorney Docket No.: 9203-21U4

Title: SPLIT PROCESSING SYSTEM FOR PROVIDING INCREASED SYSTEM AVAILABILITY

## INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97(b)

Enclosed are copies of each of the documents listed on the attached Information Disclosure Citation Form PTO/SB/08A, which may be material to the patentability of this application and/or for which there may be a duty to disclose in accordance with 37 C.F.R. §1.56.

The filing of this Information Disclosure Statement shall not be construed as an admission that any of the listed documents constitutes prior art, nor as an admission against interest in any manner.

No fee is believed to be due in connection with the filing of this Information Disclosure Statement since it is being filed before the mailing date of the first Office Action on the merits. However, the Commissioner is hereby authorized to charge any deficiencies or credit any overpayments to Deposit Account No. 50-1017 (209203.0037).

It is respectfully requested that this Information Disclosure Statement and the documents listed on the attached Form PTO/SB/08A be considered and acknowledged by the Examiner in connection with the above-identified patent application, be made of record therein, and that the listed documents be cited in the issued patent.

Respectfully submitted,

Wilbur H. Highleyman et al

CLARK A. JABLON

Attorney for Applicants Registration No. 35,039 Direct Dial: (215) 965-1293

E-Mail: cjablon@akingump.com

Akin Gump Strauss Hauer & Feld LLP One Commerce Square 2005 Market Street, Suite 2200 Philadelphia, PA 19103 Telephone No.: 215-965-1200

Fax No.: 215-965-1210

CAJ:vlb **Enclosures** 

## Express Mail Label No. EV312206977US

| Form P   | 1   |  | Complete if Known |                      |           |                    |                |                               |            |              |   |                        |                |
|--|---|--|-------------------|----------------------|-----------|--------------------|----------------|-------------------------------|------------|--------------|---|------------------------|----------------|
| INFORMATION DISCLOSURE   |   |  |                   |                      | Appli     | Application Number |                |                               |            |              |   |                        |                |
| STATE  |   |  |                   | Filing Date          |           |                    | I              |                               |            |              |   |                        |                |
|  |   |  | First             | First Named Inventor |           |                    | T              | Wilbur H.                     | Highleyman |              |   |                        |                |
| (use as  | ny she  | ets as n   | Grou              | Group Art Unit       |           |                    | Τ              |                               |            |              |   |                        |                |
|  |   |  |                   |                      | Exam      | Examiner Name      |                |                               | T          |              |   |                        |                |
| Sheet 1 of 1   |   |  |                   |                      | Attor     | Attorney Docket Nu |                |                               | I          | 9203-21U4    |   |                        |                |
| U.S. PATENT DOCUMENTS  |   |  |                   |                      |           |                    |                |                               |            |              |   |                        |                |
|  | T   | U.S. Pat   | tent Docu         | ment                 | ·         | <del></del>        | 1              | 20002                         |            |              |   | Date of Publication of | f              |
|  | . $\Gamma$  |  |                   |                      |           | Kind Code (if      |                | Name of Inventor or Applicant |            |              |   | Cited Document         |                |
| Exr Initia   |   |  |                   |                      | known)    | known)             |                | of Cited Document             |            |              |   | MM-YYYY                |                |
|  | 6,122,630   |  |                   |                      | A 4       |                    |                | Strickler et al.              |            |              |   | 09-2000                |                |
| ,  | 2002/0133507  |  |                   | Al                   | AI Holens |                    | tein et al.    |                               |            | 09-2002      |   |                        |                |
|  |   |  |                   |                      |           |                    |                |                               |            |              |   |                        |                |
|  |   |  |                   |                      | -         |                    | ļ              |                               |            |              |   | Ŷ.                     |                |
|  | $\dashv$  |  |                   |                      |           |                    |                | . 9                           | _          |              |   |                        |                |
|  |   |  |                   |                      | <u> </u>  |                    |                |                               |            |              |   |                        |                |
|  |   |  |                   |                      |           |                    |                |                               |            | •            |   |                        |                |
|  | _   |  |                   | <del></del>          |           |                    | ·              |                               | _          |              | 4.                                      | -2                     |                |
|  |   |  |                   |                      |           |                    | <u> </u>       |                               |            |              |   |                        |                |
|  |   |  |                   |                      | FOI       | REIG               | N PATE         | NT DOC                        | U          | MENTS        |   |                        |                |
| Foreign Patent Document  |   |  |                   |                      |           |                    |                |                               |            |              | Date of Publication                     |                        |                |
| Country  |   |  |                   |                      | Kind Code |                    |                | Name of Inventor or Applicant |            |              | of Cited Document                       | _                      |                |
| Exr Initials   |   | Code Number  |                   |                      | ber       | (if known)         |                | of Cited Document             |            |              | * | MM-YYYY                | Tı             |
|  |   |  |                   |                      |           |                    |                | <u> </u>                      | _          |              |   | * .                    |                |
|  | _   |  |                   | *                    |           | -                  |                | ļ                             | -          |              |   |                        |                |
| · ·  |   |  |                   |                      |           | ┼                  |                | -                             |            |              |   |                        |                |
|  | +   |  |                   | <del></del>          |           | $\vdash$           |                |                               |            |              | •                                       |                        |                |
|  | _   |  |                   | <del>.</del>         |           | ↓                  |                |                               |            |              |   | -                      | ļ              |
|  |   | w.   |                   | :                    |           | .]                 |                | L                             |            |              |   | <u> </u>               |                |
| OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS  |   |  |                   |                      |           |                    |                |                               |            |              |   |                        |                |
| Exr  | Inclu   | ude Na   | me of Au          | thor (in CA          | PITAL LET | TERS               | ), title of th | ne article (w                 | h          | ere appropri | ate), title of the ite                  | em (book, magazine,    | T <sub>1</sub> |
| Initials   |   |  |                   |                      |           |                    |                |                               |            |              |   |                        |                |
| NEW, J. "NonStop NET/MASTER Tips and Techniques," Gresham Software Labs, reprint of article  X |   |  |                   |                      |           |                    |                |                               |            |              |   |                        |                |
|  | originally appearing in "The Tandem Connection," Vol. 17, No. 6, December 1996, printout from web site: |  |                   |                      |           |                    |                |                               |            |              |   |                        |                |
|  |   | ttp://www.greshamsoftwarelabs.com.au/main/download/nnm/tc172.pdf, 4 pages.                   |                   |                      |           |                    |                |                               |            |              |   |                        |                |
|  |   | KRUEGER, J. "A Look at Fault Tolerance: Tandem NonStop Systems,"                             |                   |                      |           |                    |                |                               |            |              |   |                        |                |
|  |   | Ferm paper: Operating System Design, April 24, 1997, printout from web site:                 |                   |                      |           |                    |                |                               |            |              |   |                        |                |
|  | http://people.msoe.edu/~sebern/courses/cs384/papers97/krueger.pdf, 24 pages.                            |  |                   |                      |           |                    |                |                               |            |              |   |                        |                |
|  | CAL, J. "Building Highly Available Database Servers Using Oracle Real Application Clusters," X          |  |                   |                      |           |                    |                |                               |            |              |   |                        |                |
|  | Copyright © 2001 Oracle Corporation, An Oracle White Paper, May 2001, printout from website:            |  |                   |                      |           |                    |                |                               |            |              |   |                        |                |
|  |   | http://otn.oracle.com/products/oracle9i/pdf/high_avail_clusters.pdf, 16 pages.               |                   |                      |           |                    |                |                               |            |              |   |                        |                |
|  |   | GHANDEHARIZADEH, S. et al. "Parallel Databases and Decision Support Systems," June 28, 2000, |                   |                      |           |                    |                |                               |            |              |   |                        |                |
|  | printout from website: http://www.autospaces.com/parallel.pdf, 5 pages.                                 |  |                   |                      |           |                    |                |                               |            |              |   |                        |                |
|  |   |  |                   |                      |           |                    |                |                               |            |              |   | 7 19                   |                |
| Examine  | er  |  |                   |                      |           |                    |                |                               |            |              | Date                                    |                        |                |
| Signatu  |   |  |                   |                      |           |                    |                |                               |            |              | Considered                              |                        |                |

7080190 v1